

**REMARKS**

**Discussion of Claim Amendments**

Claims 21-42 are cancelled, and claims 43-58 are added to more clearly recite the invention. New claims 43-58 add no new matter to the application and are supported by the disclosure as originally filed. The following table presents support for each of these claims.

CURRENTLY PRESENTED CLAIM	SUPPORT IN THE DISCLOSURE
1	Previously presented claim 1
2	Previously presented claim 2
3	Previously presented claim 3
4	Previously presented claim 4
5	Previously presented claim 5
6	Page 12 [0045-0046]; Previously presented claim 6
7	Page 7 [0028]
8	Page 17 [0065]
9	Canceled
10	Page 17 [0066]
11	Canceled
12	Canceled
13	Page 11 [0040]
14	Page 12 [0045-0046]
15	Canceled
16	Page 30 [0113]
17	Previously presented claim 17
18	Previously presented claim 18
19	Page 30 [0113]
20	Previously presented claim 20
21-42	Canceled
43	Page 20 [0077], Previously presented claim 25
44	Page 21 [0080]
45	Page 24 [0091]
46	Previously presented claim 25
47	Previously presented claim 26
48	Previously presented claim 27
49	Previously presented claim 27
50	Page 25 [0092-0093]
51	Previously presented claim 33
52	Previously presented claim 34
53	Previously presented claim 35
54	Page 34 [0129]

55	Previously presented claim 37
56	Previously presented claim 38
57	Previously presented claim 39
58	Previously presented claim 36 and 40
59	Previously presented claim 36 and 40
60	Previously presented claim 36 and 40
61	Previously presented claim 41 and 42

### **The Office Action**

The Examiner alleges that the application contains twelve distinct inventions and requires restriction to only one of the twelve identified inventions.

### **The Present Invention**

The present invention relates to a gene encoding SCC-S2 and the therapeutic uses thereof.

### **Discussion of the Restriction Requirement under 35 USC 121**

In response to the restriction requirement, Applicant hereby elects the claims of Group I for further examination. As amended, the currently presented claims link each of the separate Groups identified in the Office Action to Group I as follows.

- (1) Group I is linked to Group IX by claim 50 in part.
- (2) Group I is linked to Group IV by claim 45.
- (3) Group I is linked to Group II by claims 13-18.
  - (a) Linked Groups I and II are further linked to Group V by claims 43-44.
    - (i) Linked Groups I, II and V are further linked to Groups IV, V, VI, VII by claims 46 and 48.
  - (b) Linked Groups I and II are further linked to Group XI by claims 51-57.
    - (i) Linked Groups I, II and XI are further linked to Group XII by claims 58-61.
  - (c) Linked Groups I and II are further linked to Group III by claims 19-20.
    - (i) Linked Groups I, II and III are further linked to Group VIII by claims 47-49.
    - (ii) Linked Groups I, II and III are further linked to Group X by claim 50 in part.

Accordingly, pursuant to MPEP §809.03, the claims should be examined together.

In re Appln. of Kasid et al.  
Application No. 10/627,571

**Conclusion**

The application is considered to be in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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